

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG**

**LORI COOK, Personal Representative  
and Administratrix of the Estate of  
Elsie Bosley,**

**Plaintiff,**

v.

**CIVIL ACTION NO. 3:07-CV-70  
(BAILEY)**

**ROMNEY HEALTH CARE CENTER,  
LTD., LIMITED PARTNERSHIP;  
GENESIS HEALTHCARE CORPORATION;  
THE HAMPSHIRE COUNTY COMMISSION;  
And ANTHONY K. HAYWOOD, D.O.,**

**Defendants.**

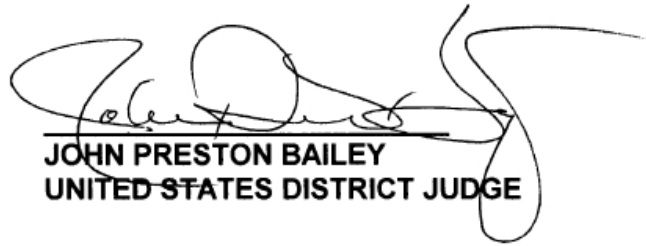
**ORDER**

Pending before this Court is a Motion to Dismiss [Doc. No. 5] filed by the Hampshire County Commission on June 7, 2007. Local Rule of Civil Procedure 7.02(b) indicates that a Response was due within fourteen (14) days after service of the Motion. This Court also ordered the plaintiff to file a Response [Doc. No. 41]. The plaintiff has not filed a Response to the Motion. Therefore, the Motion to Dismiss [Doc. No. 5] is hereby **GRANTED** and the Hampshire County Commission is **DISMISSED** as to Counts I, II, IV, V and VI of the Complaint.

It is so **ORDERED**.

The Clerk is hereby directed to transmit copies of this Order to all counsel of record.

**DATED:** February 22, 2008.



JOHN PRESTON BAILEY  
UNITED STATES DISTRICT JUDGE